



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: United International Investigative Services

File: B-234301.2

Date: March 2, 1989

DIGEST

Protest is dismissed for failure to file a copy with the contracting activity within 1 working day after filing with the General Accounting Office (GAO) since, as of 13 working days after the protest was filed at GAO, contracting activity had not received a copy of the protest and otherwise did not have timely knowledge of protest basis so that it could respond within the statutory 25-day period.

DECISION

United International Investigative Services requests that we reconsider our dismissal of its protest of an award to D&G Contract Services under request for proposals No. F27604-88-R-0004, issued by the Department of the Air Force for guard service. We dismissed United's protest as untimely.

United asserts that its protest was timely filed after it learned of its basis of protest. We need not decide whether United's protest was timely since it is dismissable on another basis.

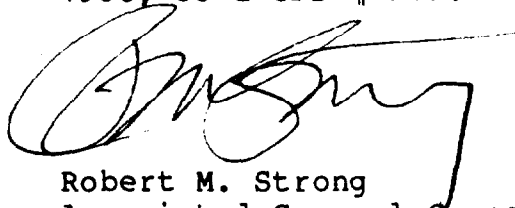
The Air Force has notified us that as of February 17, 1989, 13 working days after the protest was filed in our Office on January 31, the contracting activity still had not been provided a copy of United's original protest or its subsequent request for reconsideration of our dismissal.

Our Bid Protest Regulations require that the contracting officer receive a copy of the protest within 1 working day after the filing in our Office. 4 C.F.R. § 21.1(d) (1988). The basis for the 1-day notice requirement is found in the Competition in Contracting Act of 1984, 31 U.S.C. § 3551, et seq. (Supp. IV 1986), which requires the contracting agency to file a written report with our Office within 25 working days after we notify the agency of the protest. Any delay in furnishing a copy of the protest to the contracting agency not only hampers the agency's ability to meet the

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25 day statutory deadline, but also frustrates our efforts to consider all objections to agency procurement actions in as timely a fashion as possible. Data Monitor Systems, Inc.--Reconsideration, B-231201.2, May 20, 1988, 88-1 CPD ¶ 487.

Since the Air Force had not been notified of the basis for United's protest for 13 working days from the time United filed its protest in this Office and in the absence of any evidence that the Air Force should have known the basis for United's complaint so that it could respond within the statutory 25-day period, the protest is dismissed. Id. Generic Engineering--Reconsideration, B-232151.2, Sept. 7, 1988, 88-2 CPD ¶ 219.

A handwritten signature in black ink, appearing to read "R. Strong", is written over the typed name and title.

Robert M. Strong
Associated General Counsel